

Ethics Proposal Outline

A. Office of Congressional Ethics (OCE)

1. Independent office within the House.
2. Composed of 6 Board members, jointly appointed by the Speaker and Minority Leader. (If there is no agreement after 90 days, the Speaker and Minority Leader will each individually appoint Board members.) Current Members of the House and lobbyists are not eligible.
3. Term of 4 years, one reappointment possible. Removal only with approval of both the Speaker and Minority Leader acting jointly.

B. Complaints and Review Process

1. Self-initiated review. Member complaints still go directly to the Ethics Committee.
2. Two-step review process – (1) preliminary review, (2) second-phase review.
3. Preliminary reviews are initiated by 2 Board members submitting written notice to all other board members.
4. Board must notify both the person who is the subject of the review and the Ethics Committee at each step in process.
5. Preliminary review phase is 30 calendar or 5 legislative days, whichever is longer.
6. By the end of the appropriate time period, the Board may vote to terminate its review and no publication is required.
7. A second-phase review is 45 calendar or 5 legislative days, whichever is longer, with one extension of 14 calendar days possible.
8. All matters subject to a second-phase review must be referred to Ethics Committee for its review.
9. Referrals to Ethics Committee will be accompanied by two documents: (1) a Report which recommends dismissal, further inquiry, or states that the Board vote was a tie, and (2) Findings of fact. Neither document shall contain conclusions regarding the validity of the allegations or the guilt or innocence of the person subject to the review – such matters are the sole purview of the Ethics Committee.

C. Ethics Committee

1. Committee has 45 calendar or 5 legislative days from date of referral to review the matter, whichever is longer. One extension of 45 calendar or 5 legislative days is available.
2. On most matters, at the end of the time period, the Ethics Committee must issue commentary on status, along with the Report and Findings of the Board. On matters both the Board and Ethics Committee agree should be dismissed, no publication is required. If the Ethics Committee defers its review of a matter at the request of an appropriate law enforcement or regulatory authority (e.g., Justice Dept.), an announcement of such deferral is required.
3. If the Ethics Committee establishes an investigative subcommittee, only that fact is publicized. If no conclusion after one year, the Board's Report is published. Board Findings are published at close of that Congress.
4. If the Ethics Committee requests that the Board refers a matter prior to completion of its review, it is still subject to the time limits and reporting requirements set forth above.